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**CENTRAL FAX CENTER****JUN 18 2004**Attorney's Docket 017094-0306034  
Client Reference: 99/17 PH/Ba**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****OFFICIAL**In re PATENT APPLICATION of:  
BERND NICKEL ET AL.

Confirmation No: 8786

Application No.: 10/686,809

Group Art Unit: 1614

Filed: October 17, 2003

Examiner: Not Assigned

Title: INDOLY-3-GLYOXYLIC ACID DERIVATIVES HAVING THERAPEUTICALLY  
VALUABLE PROPERTIESCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**CERTIFICATION OF FACSIMILE TRANSMISSION  
UNDER 37 C.F.R. §1.8**

I hereby certify that the following papers, consisting of 9 pages  
including this cover page, are being facsimile transmitted to the Patent and  
Trademark Office at (703) 872-9306 on the date shown below:

THIRD Preliminary Amendment w/transmittal

PILLSBURY WINTHROP LLP

THOMAS A. CAWLEY, Jr., Ph.D.  
Reg. No. 40944Date: June 18, 2004  
P.O. Box 10500  
McLean, VA 22102  
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(Certification of Facsimile Transmission--page 1)

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Commissioner for Patents  
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## AMENDMENT/RESPONSE TRANSMITTAL

Transmitted herewith is an amendment/response for this application.

### FEES


The fee for claims and extension of time (37 C.F.R. 1.16 and 1.17) has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE
TOTAL	16	- 20	= 0	x \$ 18.00	= \$ 0.00
INDEP.	1	- 10	= 0	x \$ 86.00	= \$ 0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			+	\$ 290.00	= \$ 0.00
TOTAL ADDITIONAL CLAIM FEE					\$ 0.00
GRAND TOTAL					\$ 0.00

### FEE PAYMENT

Authorization is hereby made to charge the amount of \$0.00 to Deposit Account No. 033975. Charge any additional fees required by this paper or credit any overpayment in the manner authorized above. A duplicate of this paper is attached.

Date: June 18, 2004  
PILLSBURY WINTHROP LLP  
P.O. Box 10500  
McLean, VA 22102  
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THOMAS A. CAWLEY, Jr., Ph.D.  
Reg. No. 40944

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OFFICIAL

THIRD PRELIMINARY AMENDMENT

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Prior to examination, please amend the above-identified application as follows: